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7 BY

Magistrate Judge Brian A. Tsuchida

7 UNITED STATES DISTRICT COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

13 v.

14 JOSEPH VERNON GRUBBS,

15 Defendant.

10 NO. MJ16-327

11 COMPLAINT for VIOLATION

13 18 U.S.C. §§ 2252(a)(2)

17 BEFORE, the Honorable Brian A. Tsuchida, United States Magistrate Judge, U. S.
18 Courthouse, Seattle, Washington.

19 The undersigned complainant being duly sworn states:

20 **COUNT 1**

21 **(Receipt of Child Pornography)**

22 Beginning on a date unknown but not later than in or about 2012 and continuing
23 until at least in or about December 2015, at Camano Island and Stanwood, within the
24 Western District of Washington, and elsewhere, JOSEPH VERNON GRUBBS did
25 knowingly receive, and attempt to receive, visual depictions the production of which
26 involved the use of minors engaging in sexually explicit conduct, and the visual
27 depictions were of such conduct, using any means and facility of interstate and foreign

1 commerce and which images had been mailed and shipped and transported in and
2 affecting interstate and foreign commerce by any means, including by computer.

3 All in violation of Title 18, United States Code, Sections 2252(a)(2) and
4 2252(b)(1).

5 And the Complainant states that this Complaint is based on the following
6 information:

7 I, Matthew Murray, being first duly sworn on oath, depose and say:

8 **I. INTRODUCTION**

9 1. I am a Special Agent (SA) with the Federal Bureau of Investigation
10 assigned to the Everett, Washington Resident Agency, Seattle, Washington field office. I
11 am an investigative and law enforcement officer of the United States within the meaning
12 of Title 18, United States Code, Section 2510(7). My duties as a Special Agent include
13 the full time investigation of a wide range of federal criminal offenses, including
14 investigations involving child exploitation violations pertaining to the illegal production,
15 distribution, receipt, and possession of child pornography and material involving the
16 sexual exploitation of minors in violation of 18 U.S.C. §§ 2251, 2252(a), and 2252A(a).
17 I have participated in the execution of previous search warrants which involved child
18 exploitation and/or child pornography offenses and the search and seizure of computers
19 and other digital devices. I have also had the opportunity to review examples of child
20 pornography as defined by 18 U.S.C. § 2256.

21 2. As detailed below, based on my investigation and the investigation of other
22 law enforcement officers, I submit there is probable cause to believe that JOSEPH
23 VERNON GRUBBS has committed the violations described above. In particular, the
24 investigation has uncovered substantial evidence that JOSEPH VERNON GRUBBS
25 received and attempted to receive child pornography between 2012 and 2015, and
26 possessed child pornography on or before July 27, 2016.

27 3. The facts set forth in this Complaint are based on my own personal
28 knowledge; knowledge obtained from other individuals during my participation in this

investigation, including other law enforcement officers; interviews of cooperating witnesses; review of documents and records related to this investigation; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience.

4. Because this Complaint is submitted for the limited purpose of establishing probable cause, it does not set forth each and every fact that I or others have learned during the course of this investigation. I have set forth only the facts that I believe are relevant to the determination of probable cause to believe that JOSEPH VERNON GRUBBS committed the offenses charged in this Complaint.

II. PROBABLE CAUSE

5. In late 2014, FBI received information from Yahoo's Electronic Crimes Investigative Team (ECIT), which focuses on identifying and documenting instances in which Yahoo's services are used in violation of Yahoo's Terms of Use, that several Yahoo users from the Philippines were using Yahoo services to produce and sell child pornography and/or live-stream webcam shows of minors engaging in sexually explicit conduct to other Yahoo users around the world.

6. Among the accounts identified by Yahoo's ECIT was joe_rose88@yahoo.com. In December 2015, Yahoo submitted Cybertip 744111 to the National Center for Missing and Exploited Children (NCMEC), which NCMEC then shared with the FBI. According to the Cybertip, someone using email account tatgirl_mar@yahoo.com sent an email with the subject line "FW: 10yrs old." to joe_rose88@yahoo.com on June 15, 2015. Attached to this email were nineteen images depicting a nude and/or semi-nude prepubescent girl ("CV") posed in a sexually suggestive manner. I have reviewed each of these images, all of which depict CV. In each photo, she is posed in a way that emphasizes her genitals. Based on her size, lack of breast development, and lack of pubic or body hair, I believe CV is between ten and twelve years old.

1 7. There are several images that show CV lying on her back with her legs
 2 spread apart while spreading her labia with her hands to more fully expose her genitals to
 3 the camera. In other images, CV is shown standing or kneeling while spreading her
 4 buttocks apart and exposing her anus and vagina. The remaining images show CV
 5 standing and removing her underwear. In each photo, it appears that CV was being
 6 directed to assume specific poses.

7 8. Based on subscriber and IP connection information provided by Yahoo and
 8 follow-up investigation, I identified an individual named JOSEPH VERNON GRUBBS
 9 with associated addresses in Stanwood, Washington, whom I believe to be the user of
 10 joe_rose88@yahoo.com.

11 9. The subscriber information provided by Yahoo included a Facebook user id
 12 associated with joe_rose88@yahoo.com. An open source query of Facebook showed that
 13 id corresponded to a profile for a “Joe Grubbs.” Pictures associated with this profile
 14 include photos of an individual who matches the Washington DOL photo for Joseph V.
 15 Grubbs with an address in Stanwood, Washington. In addition, “Joe Grubbs” Facebook
 16 profile shows one of his Facebook friends is an individual with the profile name J.M.

17 10. **Further investigation with the local Stanwood Police Department**
 18 **revealed that a J.M., with an address in Stanwood, Washington, filed a complaint in**
 19 **2010 stating that he believed an acquaintance he identified as Joseph Vernon**
 20 **Grubbs was in possession of child pornography.** In the complaint, J.M. stated he had
 21 befriended Joseph Vernon Grubbs sometime in 2009 and had traveled with him to the
 22 Philippines during November 2009. He stated further that Joseph Vernon Grubbs had a
 23 girlfriend there who had a daughter that was between seven and nine years old at the
 24 time. J.M. explained that he believed Joseph Vernon Grubbs had engaged in sexual
 25 relations with the young girl while in the Philippines. J.M. also reported that the woman
 26 he employed as a housekeeper—who was Joseph Vernon Grubbs’s roommate—reported
 27 to him that she saw Grubbs viewing what she believed were sexually explicit images of
 28 children on his computer.

1 11. Further investigation by FBI Seattle/Everett of the previously identified
 2 Facebook ID for "Joe Grubbs," indicates that Joe Grubbs does have access to children in
 3 the Philippines through what appears to be an adult female girlfriend. The female
 4 children in the photos appear to be of the same age as the unidentified victim. Further,
 5 there are specific indications that the locations of the photos and postings are taken and
 6 made in an area of the Philippines.

7 12. On June 17, 2016, I obtained a federal search warrant (MJ16-259) in the
 8 Western District of Washington for the content of email account joe_rose88@yahoo.com
 9 (along with several related email accounts). Yahoo provided the requested material to the
 10 FBI following service of the warrant, and I conducted an initial review of the content of
 11 joe_rose88@yahoo.com on June 27, 2016. Although I reviewed only a portion of the
 12 content associated with that account, I identified numerous examples of email
 13 communications in which joe_rose88@yahoo.com was the recipient of images depicting
 14 minors engaged in sexually explicit conduct. In addition, I found chat logs documenting
 15 internet messaging conversations between joe_rose88@yahoo.com and other users in
 16 which they discuss the sexual abuse of minors and the creation of child pornography. I
 17 describe a representative sample of the communications I have seen below.

18 13. On May 3, 2012, joe_rose88@yahoo.com received an email from
 19 sitonrhiza@yahoo.com containing one image of an infant girl. The photo focuses on the
 20 exposed vagina of that infant, and the message includes the following text: "this one is
 21 the cutest pussy u ever see."

22 14. That same day, joe_rose88@yahoo.com received an email from the same
 23 address containing two images of a half nude infant and seven images of an adult female,
 24 possibly the user sitonrhiza@yahoo.com, based on messenger texting coinciding with this
 25 email traffic. The infant is portrayed in these images as half nude sitting on the floor,
 26 wearing only a shirt.

27 15. On May 23, 2012, joe_rose88@yahoo.com received an email from
 28 analiza.sex34@yahoo.com containing twenty-five images. The images show a child

1 victim ("CV") in a variety of poses. Among other things, there are images where CV is
2 shown exposing her anus, vagina, and breasts to the camera. Based on her size, lack of
3 breast development, and lack of pubic or body hair, I believe CV is between thirteen and
4 sixteen years old.

5 16. On June 22, 2012, honeygerlie@rocketmail.com sent an email to
6 joe_rose88@yahoo.com containing six mages. The images show a CV and an adult
7 female in a variety of poses, including poses where CV is exposing her anus, vagina, and
8 breasts to the camera. These images include a photo showing the adult female digitally
9 penetrating CV's vagina and CV digitally penetrating herself. Based on her size, lack of
10 breast development, and lack of pubic or body hair, I believe the CV is between the ages
11 of eight and twelve years.

12 17. On June 9, 2013, joe_rose88@yahoo.com received an email from
13 edelynreyes143@yahoo.com containing fifteen images. These images show a CV posing
14 in a variety of positions, including poses where she is exposing her anus, vagina, and/or
15 breasts to the camera. Based on her size, lack of breast development, and lack of pubic or
16 body hair, I believe the CV is less than ten years old.

17 18. In addition to the above emails and images, I also found several Yahoo
18 Messenger chat logs involving joe_rose88@yahoo.com and other users suggesting
19 joe_rose88@yahoo.com was actively seeking sexual contact with minors and the
20 production of child pornography. Below are excerpts of some of these conversations.

21 19. Exchange between honeygerlie@rocketmail.com (HG)—who had stated
22 she was fifteen in an earlier message on May 18, 2012—and joe_rose88@yahoo.com
23 (JR):

24 7/4/2012

25 JR "i thought you and your bf was going to let me watch you fuck?im very
26 interested in that sweetie"

27 7/6/2012

28 JR "i bought a ticket yesterday to pi aug 28"

1 7/7/2012
2 JR "i bought my plane ticket .im going to p i on the 28 aug"
3 JR "can we meet id love to fuck you honey"
4 7/23/2012
5 JR "im 63 and have a good pension"
6 HG "yes but yu long way from here"
7 JR "im going there on 28 aug"
8 HG "ok yu wish to meet on real on me"
9 JR "yes"
10 8/3/2012
11 JR "im coming aug 28 but i want to see you on cam first honey"
12 HG "ok i try"
13 HG "can yu pay for me"
14 HG "just for foods for my family"
15 HG "i love you joe"
16 HG "XXXXXXXXXX"
17 HG "i will keep yur cok hard and empty of cum"
18 8/7/2012
19 JR "hi sweetie some day we will be on at the same time"
20 JR "if you want me to send you money for food you better get online"
21 JR "my cell number is 001 425 268 3281 text me"
22 8/21/2012
23 JR "im leaving for p i in 7 days am i going to be able to meet with you?give me
24 your cell number so i can text"
25 8/26/2012
26 JR "hello im leaving for philippines in 2 days sweetie"
27 JR "wish I have your cell number so i can text you when im there"
28

1 8/27/2012

2 HG "were are yu going in phil"

3 HG "me and my cousin meet yu herw i hoping"

4 HG "she 9 yrs old and skinny body with no pussy hairs"

5 HG "we both help yur cum out of yur cock hehe"

6 HG "tell me yur cell wen yu here i call yu"

7 20. There was another exchange approximately nine months later. Among
8 other things, the user of honeygerlie@rocketmail.com stated she was thirteen (not
9 fifteen):

10 4/7/2013

11 JR "how old are you now sweetie?have you grown any hair on your pussy yet?you
12 was so smooth on your pussy before,i loved looking at it"

13 JR "i would love it if you could send me pics of you now.you are so pretty"

14 HG "i am 13yrs my pussy smooth yu like no hair on pussy hehe"

15 HG "i am not virgin i having experience now"

16 HG "yu have gf here now"

17 HG "she young pussy also"

18 21. Exchange between berloveslim@yahoo.com (BL) and
19 joe_rose88@yahoo.com (JR):

20 6/27/2012

21 BL "u can help yet babe"

22 BL "they do good hun"

23 BL "both girls"

24 BL "14 y/o and 17 y/o"

25 BL "do"

26 JR "you already owe me"

27 BL "guy"

28 BL "yes but i did erlier"

1 BL "then before"
2 JR "you said that i have one coming yet"
3 BL "yes erlier I do"
4 BL "to you"
5 BL "remember?"
6 JR "i didn't cum and computer was stopping and i was suporsed to send 20 but i
7 sent 50"
8 BL "but can u sent more coz i pay them 300 pesos per 1 girl then guy"
9 7/2/2012
10 BL "so they start now"
11 JR "how old is she?"
12 BL "shes 15y/o"
13 BL "see"
14 BL "ok they start now?"
15 JR "yes i love her bald pussy"
16 BL "ok"
17 JR "shes getting me so excited i might cum 2 times"
18 BL "its ok with u 1 time cum baby"
19 BL "ohhhhhhhhhhh"
20 BL "yummYYYYYYYYYYYY"
21 BL "love."
22 JR "move cam a little"
23 BL "her"
24 BL "u like"
25 BL "so do fuck now"
26 JR "yes can he put cock in her for awhile"
27 BL "ok u mean fuck?"
28 JR "yes"

1 BL "ok"

2 7/7/2012

3 JR "I bourgt a ticket to p i on aug 28"

4 BL "ahh.. ok"

5 JR "how much you charge a night for one of your girls?"

6 BL "ABOUT 1300 PESOS?"

7 BL "U CAN AFORD A LITTLE LIKE THAT"

8 JR "yesw once im there i might even get 2"

9 22. Exchange between ann.roses@yahoo.com (AR) and
10 joe_rose88@yahoo.com (JR):

11 8/5/2012

12 JR "how old are you?"

13 AR "im 15y/o"

14 JR "sweet"

15 AR ":-*"

16 JR "can I see a real close up of your pussy"

17 AR "ok u see me"

18 AR "hmmmmmm u like it baby"

19 JR "i never fucked a pussy that young when was your first sex?"

20 23. The emails and chat logs described above represent only a fraction of the
21 content that appears to relate to the active solicitation of material depicting the sexual
22 exploitation of minors. The activity in this account begins as early as 2012 and continues
23 through December 2015.

24 24. As noted above, I believe the owner and user of joe_rose88@yahoo.com is
25 JOSEPH VERNON GRUBBS. During my review of the Yahoo Messenger logs, I saw
26 several messages from joe_rose88@yahoo.com in which the user claimed to be
27 physically located in and around Seattle and Everett. That user also provided a phone

1 number that according to publicly available databases is associated with JOSEPH
2 VERNON GRUBBS.

3 25. In addition, the user of joe_rose88@yahoo.com sent multiple photos
4 purporting to be that user using that email account. Those photos match both the
5 individual pictured in the Facebook account for "Joe Grubbs" and the Washington DOL
6 photo for JOSEPH VERNON GRUBBS.

7 26. I also conducted a search of law enforcement databases and found that
8 JOSEPH VERNON GRUBBS has regularly travelled to the Philippines, beginning as
9 early as 1995 and most recently returning from the Philippines in March 2016.

10 27. On July 14, 2016, I contacted J.M. at his residence in Stanwood,
11 Washington, which was also the last known residence of JOSEPH VERNON GRUBBS.
12 In response my questions, J.M. told me that JOSEPH VERNON GRUBBS now lives in
13 the vicinity of 240 Maple Street, Camano Island, WA.

14 28. Another FBI agent and I went to that address on Camano Island and spoke
15 with the occupant of the home located at that address. She confirmed that JOSEPH
16 VERNON GRUBBS lived in an RV currently located on her property. I encountered
17 JOSEPH VERNON GRUBBS and saw the RV he uses as a residence. I also noted that
18 this RV has a license plate bearing 8868 UI.

19 29. Upon encountering JOSEPH VERNON GRUBBS, I identified myself as an
20 FBI agent and asked if I could speak to him for a few moments. Among other things, he
21 confirmed that he lives in the RV described above. JOSEPH VERNON GRUBBS further
22 stated that he travels to the Philippines—where he maintains a second home—every year
23 for approximately six months and that he was scheduled to return to the Philippines in
24 September.

25 30. On July 26, 2016, I obtained a search warrant for JOSEPH VERNON
26 GRUBB's residence. Along with a team of other law enforcement officers, I executed
27 that warrant the following day. JOSEPH VERNON GRUBBS was present and after
28 being advised of his *Miranda* rights, agreed to speak with me. In a recorded interview,

1 GRUBBS confirmed that he was the owner of email account joe_rose88@yahoo.com.
2 And although he initially denied that the contents of the account would contain images of
3 children engaged in sexually explicit conduct, he ultimately acknowledged that he had
4 used that address to receive child pornography.

5 31. Several digital devices were also seized during the search. However, agents
6 were unable to conduct an adequate onsite preview of those devices with the forensic
7 tools available in the field. Those digital devices will be taken back to FBI offices for a
8 forensic examination.

9 32. Based on the above facts, I respectfully submit that there is probable cause
10 to believe that JOSEPH VERNON GRUBBS did knowingly and intentionally distribute,
11 and possess child pornography, in violation of Title 18, United States Code, Sections
12 2252(a)(2), and 2252(a)(4)(B).

13
14 
15 Matthew Murray, Complainant
16 Special Agent, Federal Bureau of Investigation
17
18

19 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
20 presence, the Court hereby finds that there is probable cause to believe the Defendant
21 committed the offense set forth in the Complaint.

22
23 Dated this 27 day of July, 2016.
24
25 
26 BRIAN A. TSUCHIDA
27 United States Magistrate Judge
28